

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

DAVID BELENZON,

Plaintiff,

vs.

PAWS UP RANCH, LLC d/b/a  
RESORT AT PAWS UP and JOHN  
DOES 1-10,

Defendants.

CV 23–69–M–DWM

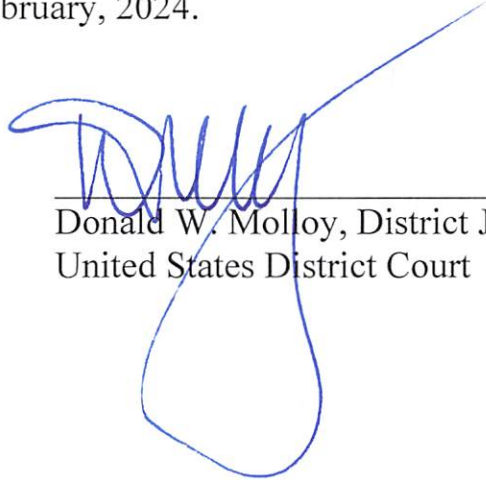
ORDER

On February 2, 2024, Defendant Paws Up filed an “objection” to the sufficiency of the plaintiff’s expert disclosure of Lee Goldsmith, a wellness coach. (Doc. 26.) The Scheduling Order in the case requires that any such objection be “filed *in the form of a motion* within fourteen (14) days of the disclosure date set forth in paragraph 1, or the objection will be deemed waived.” (Doc. 16 at ¶ 12(c) (emphasis added).) Paws Up did not file a motion; however, it requested the Court “preclude Mr. Goldsmith’s testimony in its entirety,” (*id.* at 3), and the plaintiff filed a response, (*see* Doc. 27). If Paws Up intends to pursue its objection, it must comply with the Court’s Scheduling Order and seek relief by filing *a motion* by the deadline below. If filed by that deadline, the motion will be considered timely.

Accordingly, IT IS ORDERED that Paws Up must pursue its objection, if at all, by filing a motion, supported by a brief and exhibits, on or before March 5,

2024. Briefing on the motion will then proceed under D. Mont. L.R. 7.1(d)(1). If Paws Up fails to file a motion, its objection will be deemed waived.

DATED this 27<sup>th</sup> day of February, 2024.



Donald W. Molloy, District Judge  
United States District Court